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L A W Y E R S

E-Filed on 1/7/08

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,  
LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-  
06-10725 LBR

**NOTICE OF HEARING REGARDING  
THIRTEENTH OMNIBUS OBJECTION  
OF THE USACM LIQUIDATING  
TRUST TO PROOFS OF CLAIM FOR  
LACK OF DOCUMENTATION WITH  
CERTIFICATE OF SERVICE**

Hearing Date: February 21, 2008  
Hearing Time: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE DEADLINE TO RESPOND TO THE OBJECTION IS  
FEBRUARY 13, 2008. PLEASE DO NOT CONTACT THE CLERK OF THE  
BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.  
QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A  
CLAIM SHOULD BE DIRECTED TO THE UNDERSIGNED COUNSEL.**

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
through its counsel, has filed an Omnibus Objection to your claim filed in USA

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Commercial Mortgage Company, Case No. 06-10725 on the ground that it lacks supporting documentation. Your Proof of Claim number and other information regarding your claim is listed on Exhibit A, attached.

The USACM Liquidating Trust has requested that this Court enter an order, disallowing your claim as to USA Commercial Mortgage Company.

**NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on **February 21, 2008, at the hour of 9:30 a.m.**

**NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON FEBRUARY 21, 2008, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON THAT DATE.**

**NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed by **February 13, 2008** pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

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Dated: January 7, 2008.

**LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

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*Counsel for USACM Liquidating Trust*

Copy of the foregoing mailed on January  
7, 2008 to the Claimants listed on Exhibit  
A, attached.

/s/ Renee L. Creswell

Lewis and Roca LLP